



# CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



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LINDA S. ADAMS  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

ARNOLD SCHWARZENEGGER  
GOVERNOR

Certified Mail: 7003 1680 0000 6167 6803

## CORRECT COPY

March 26, 2009

Mr. Pat A. Dennen  
Fire Chief  
San Bernardino County Fire Department  
157 West 5<sup>th</sup> Street, Second Floor  
San Bernardino, California 92415

Dear Mr. Dennen:

The California Environmental Protection Agency (Cal/EPA), California Emergency Management Agency, Office of the State Fire Marshal, Department of Toxic Substances Control, and the State Water Resources Control Board conducted a program evaluation of the San Bernardino County Fire Department Certified Unified Program Agency (CUPA) on December 2 and 3, 2008. The evaluation was comprised of an in-office program review, and field oversight inspections, by State evaluators. The evaluators completed a Certified Unified Program Agency Evaluation Summary of Findings with your agency's program management staff. The Summary of Findings includes identified deficiencies, a list of preliminary corrective actions, program observations, program recommendations, and examples of outstanding program implementation.

The enclosed Evaluation Summary of Findings is now considered final and based upon review, I find that San Bernardino County Fire Department's program performance is satisfactory with some improvement needed. To complete the evaluation process, please submit Deficiency Progress Reports to Cal/EPA that depict your agency's progress towards correcting the identified deficiencies. Please submit your Deficiency Progress Reports to Kareem Taylor every 90 days after the evaluation date. The first deficiency progress report is due on April 30, 2009.

Cal/EPA also noted during this evaluation that San Bernardino County Fire Department has worked to bring about a number of local program innovations, including the implementation of an extensive enforcement program. We will be sharing these innovations with the larger CUPA community through the Cal/EPA Unified Program web site to help foster a sharing of such ideas statewide.

Mr. Pat A. Dennen  
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Thank you for your continued commitment to the protection of public health and the environment through the implementation of your local Unified Program. If you have any questions or need further assistance, you may contact your evaluation team leader or Jim Bohon, Manager, Cal/EPA Unified Program at (916) 327-5097 or by email at [jbohon@calepa.ca.gov](mailto:jbohon@calepa.ca.gov).

Sincerely,

[Original signed by Jim Bohon for]

Don Johnson  
Assistant Secretary  
California Environmental Protection Agency

Enclosure

cc: Sent via email:

Mr. B. Douglas Snyder  
Assistant Fire Marshal  
San Bernardino County Fire Department  
Hazardous Materials Division  
620 South "E" Street  
San Bernardino, California 92415

Ms. Marilyn Kraft  
Supervising Hazardous Materials Specialist  
San Bernardino County Fire Department  
Hazardous Materials Division  
620 South "E" Street  
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Ms. Susan Williams  
Supervising Hazardous Materials Specialist  
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620 South "E" Street  
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Mr. Terry Snyder  
State Water Resources Control Board  
P.O. Box 944212  
Sacramento, California 94244-2102

Mr. Pat A. Dennen  
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cc: Sent via email:

Ms. Jennifer Lorenzo  
Office of the State Fire Marshal  
P.O. Box 944246  
Sacramento, California 94244-2460

Mr. Fred Mehr  
Governor's Office of Emergency Services  
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Mather, California 95655

Mr. Mark Pear  
Department of Toxic Substances Control  
700 Heinz Avenue, Suite 210  
Berkeley, California 94710-2721

Mr. Kevin Graves  
State Water Resources Control Board  
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Mr. Pat A. Dennen  
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cc: Sent via email:

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Sacramento, California 94244-2460

Mr. Brian Abeel  
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Mather, California 95655



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ARNOLD SCHWARZENEGGER  
GOVERNOR

## **CERTIFIED UNIFIED PROGRAM AGENCY EVALUATION SUMMARY OF FINDINGS**

### **CUPA: SAN BERNARDINO COUNTY FIRE DEPARTMENT, HAZARDOUS MATERIALS DIVISION**

**Evaluation Dates: December 2 and 3, 2008**

#### **EVALUATION TEAM**

**Cal/EPA:** Jennifer Lorenzo  
**DTSC:** Mark Pear  
**OES:** Jeffrey Tkach  
**OSFM:** Francis Mateo  
**SWRCB:** Terry Snyder

This Evaluation Summary of Findings includes the deficiencies identified during the evaluation, program observations and recommendations, and examples of outstanding program implementation activities. Questions or comments can be directed to Kareem Taylor at (916) 327-9557.

|          | <b><u>Deficiency</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b><u>Corrective Action</u></b>                                                                                                                                                                                                                |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1</b> | <p>The CUPA is not conducting hazardous waste generator inspections with a frequency that is consistent with its Inspection and Enforcement (I&amp;E) Program Plan. The CUPA has not inspected all 4,407 hazardous waste generators that have been identified by the CUPA. The last three annual inspection summary reports indicate the following:</p> <ol style="list-style-type: none"><li>1) 4,302 hazardous waste generators were identified in fiscal year (FY) 05/06 of which 781 were inspected.</li><li>2) 4,389 hazardous waste generators were identified in FY 06/07 of which 708 were inspected.</li><li>3) 4,407 hazardous waste generators were identified in FY 07/08 of which 687 were inspected.</li></ol> <p>The CUPA has inspected approximately 49% of all known facilities generating hazardous waste over the past three fiscal years.</p> <p>Improvements have been made in terms of inspecting more than a third of the Resource Conservation Recovery Act (RCRA) large quantity generators and Permit by Rule (conditionally authorized and conditionally exempt)</p> | <p>The CUPA will continue to implement its action plan as noted in its FY 07/08 Self-Audit report. By April 30, 2009, the CUPA will submit a progress report, including the number of facilities inspected within the current fiscal year.</p> |

Certified Unified Program Agency (CUPA)  
Evaluation Summary of Findings

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   | <p>facilities in FY 07/08, and further improvement may still be made.</p> <p><b>CCR, Title 27, Section 15200 (a)(3) [DTSC]</b></p>                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 2 | <p>The CUPA has not met the state mandated inspection frequency for its hazardous materials business plan facilities. This deficiency was identified in the CUPA's 2005 evaluation. In addition, based on the Annual Inspection Summary Reports, the CUPA inspected approximately 21% of its hazardous materials business plan facilities in FY 05/06 and 18% in both FY 06/07 and FY 07/08.</p> <p><b>HSC, Chapter 6.95, Section 25508 (b) [OES]</b></p> | <p>The CUPA will continue to implement its action plan as noted in its FY 07/08 Self-Audit report. By April 30, 2009, the CUPA will submit a progress report, including the number of facilities inspected within the current fiscal year.</p>                                                                                                                                                                                                                                                                                                                                                  |
| 3 | <p>The CUPA is not ensuring that some hazardous materials business plans being submitted contain either an annual certification or new submittal of their annual inventory. Of the 17 facility files reviewed, five were found without an annual inventory or certification of no change.</p> <p><b>HSC, Chapter 6.95, Sections 25505 (d) and 25502 [OES]</b></p>                                                                                         | <p>By April 30, 2009, the CUPA will develop and implement an action plan to maintain current annual inventory certifications of all businesses within the business plan program. By April 30, 2009, the CUPA will submit the action plan and report the CUPA's progress in implementing the action plan.</p>                                                                                                                                                                                                                                                                                    |
| 4 | <p>The CUPA has not maintained the state mandated inspection frequency for its California Accidental Release Prevention (CalARP) facilities. However, the CUPA is on its way toward correcting this deficiency. At least five of 150 CalARP facilities have not been inspected within the last three fiscal years.</p> <p><b>CCR, Title 19, Section 2775.3 [OES]</b></p>                                                                                  | <p>By April 30, 2009, the CUPA will submit a progress report, including the number of CalARP facilities that have been inspected during the current fiscal year.</p>                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 5 | <p>The CUPA's permit does not include some required underground storage tank (UST)-specific elements. It is missing monitoring requirements of both tanks and piping or an attached approved monitoring plan.</p> <p><b>CCR, Title 23, Section 2634 (b), 2641 (g) and 2712 (c) [SWRCB]</b></p>                                                                                                                                                            | <p>By April 30, 2009, the CUPA will issue permits with monitoring requirements or attach an approved Monitoring Plan. The monitoring requirements may be shown as: "Monitoring or programming for monitoring will be conducted at the locations of the following equipment, if installed: monitoring system control panels; sensors monitoring tank annular spaces, sumps, dispenser pans, spill containers, or other secondary containment areas (e.g. double-walled piping); mechanical or electronic line leak detectors; and in-tank liquid level probes (if used for leak detection)."</p> |
| 6 | <p>The CUPA has not met the mandated inspection frequency for UST facility compliance inspections. This deficiency was also identified during the CUPA's last</p>                                                                                                                                                                                                                                                                                         | <p>The CUPA will conduct compliance inspections for all UST facilities each year, which will be reflected on their</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| <p>evaluation in 2005 and plans were made to improve the number of inspections. Inspection frequencies for the last three fiscal years were 73% (05/06), 70% (06/07), and 62% (07/08). The CUPA's goal is to meet the inspection frequencies and conduct the compliance inspection during the annual monitoring certification. The CUPA's challenges have been due to losing staff positions and reassignment of some staff time to other departmental duties. The CUPA stated that they are using a risk-based evaluation process to first inspect the facilities with the highest potential for environmental impacts or are recalcitrant in returning to compliance after issuance of a Notice of Violation. This provides maximum protection for the environment yet may reduce compliance frequencies.</p> <p><b>HSC, Chapter 6.7, Section 25288 (a) [SWRCB]</b></p> | <p>Annual Summary Report 3 and Semi-Annual Report 6.</p> <p>The CUPA already has a plan to add additional resources to assist in meeting its scheduled inspection frequencies.</p> <p>The CUPA has been seeking approval for additional staff or to fill vacant positions. This deficiency will be considered corrected when approval is granted.</p> <p>The SWRCB recommends that this approval be obtained as soon as possible. Please report the status in the first deficiency progress report.</p> |
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**CUPA Representative**

\_\_\_\_\_  
Doug Snyder  
(Print Name)

\_\_\_\_\_  
Original Signed  
(Signature)

**Evaluation Team Leader**

\_\_\_\_\_  
Kareem Taylor  
(Print Name)

\_\_\_\_\_  
Original Signed  
(Signature)

Certified Unified Program Agency (CUPA)  
Evaluation Summary of Findings

**PROGRAM OBSERVATIONS AND RECOMMENDATIONS**

*The observations provided in this section address activities that are not specifically required of the CUPA by statute or regulation. The recommendations, if any, are provided for continuous improvement and it is the CUPA's decision whether or not to follow the recommendations.*

1. **Observation:** The CUPA's Annual Single Fee Summary Report for fiscal year (FY) 2005/2006 was missing the total amount of single fee billed, waived, and assessed. This was also observed in the CUPA's evaluation in November 2005. However, the CUPA has made great improvement by entering the information on the Annual Single Fee Summary Report in both FY 06/07 and 07/08. In addition, a few of the totals entered on the Surcharge Transmittal Report (Report 1) and the Annual Single Fee Summary Report (Report 2) were incorrect.

**Recommendation:** Cal/EPA recommends that the CUPA continue to enter all the required information on the Summary Reports and verify that all information is as accurate as possible.

2. **Observation:** The CUPA's Self-Audit reports contain the required elements; however, the CUPA does not provide details on the effectiveness of its permitting activities. The FY 06/07 and 07/08 Self-Audits disclosed various permitting activities throughout the reports. In addition, the FY 07/08 Self-Audit contained section headings for permitting (under "Permitting and Data Management"), but such sections did not contain information specific to permitting activities.

**Recommendation:** Cal/EPA recommends that the CUPA include a narrative summary on the effectiveness of its permitting activities in its Self-Audit reports. The CUPA may discuss its consolidated permitting process and how effective the process has been (or has not been) throughout the fiscal year. Also, if the permitting activities were (or were not) effective, then the CUPA should note the reasons why the permitting activities were (or were not) effective.

3. **Observation:** During the previous evaluation in November 2005, the CUPA was not fully regulating its agricultural handlers (farms). Since then, however, the CUPA has accomplished various tasks regarding agricultural handlers. The CUPA conducted 400 agricultural facility inspections as a special project in April and May of 2007. The CUPA also discovered during the process of FY 07/08 follow-up on the agricultural facilities inspected in FY 06/07 that some USTs tracked in Envision as regulated USTs had previously been farm tanks. The CUPA tracked agricultural tanks locally to ensure proper removal once they no longer met the agricultural exemption. Most had been tracked as exempt, many had been removed, and some no longer met the agricultural exemption. Only a few were still legitimately farm tanks in use, which were given a distinct program element for data management purposes. Others were reclassified as regulated USTs (and ordered to be removed), because they did not meet the agricultural exemption. The CUPA now has a more accurate accounting of farm operations and exempt farm tanks, and are more consistently regulating the rapidly declining number of farms.

**Recommendation:** Cal/EPA recommends that the CUPA continue with its excellent job of regulating its agricultural handlers.

4. **Observation:** The OSFM observed that the CUPA forwards copies of business plan documents and information to local fire agencies that are responsible for protection of public health and safety and the environment immediately upon receipt or within 15 days as required by law.



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- 5. Observation:** The UST Inspectors neglected to take pictures of violations noted during the oversight inspections. Also in one file involving a Class 1 violation, there were no pictures to document the conditions at the UST facility. However, photo narratives of significant violations resulting in red tags were observed in other files.

**Recommendations:** Photographs serve as an excellent record to document the state of a facility's condition. Inspectors should have cameras available at all times in order to document detailed observations reflecting exact field conditions.

- 6. Observation:** On three files reviewed, the Designated Operator (DO) Certification was not current. The DO's International Code Council (ICC) certificate had expired.

**Recommendation:** The SWRCB recommends that the CUPA obtain updated DO Certifications during the annual compliance inspection. One inspector requested an updated DO Certification during the UST oversight inspection.

- 7. Observation:** The UST plot plans in three of four files reviewed did not contain all the required elements. The plot plans were missing some of the location(s) of where the monitoring will be performed. The plot plans that were submitted were part of the annual Monitoring System Certification by the service technician.

**Recommendation:** The SWRCB recommends that the CUPA require the submittal of detailed plot plans with the Monitoring Plan during the application for permit process. The Monitoring plan should not be approved without a plot plan that has all the required monitoring locations shown.

- 8. Observation:** The Certificate of Installation was missing in the UST files reviewed including a newer installation.

**Recommendation:** The SWRCB recommends that the CUPA require the submittal of the Certificates of Installation after the facility installation plan has been approved and before the facility is in operation.

- 9. Observation:** The SWRCB reviewed the CUPA's Expectations for UST Inspections page for filling the spill buckets prior to the inspector's arrival in order to save time. The SWRCB believes by doing this the drain valve, if present, cannot be checked for operational compliance as required. The testing time for spill buckets is a maximum of one hour and most Monitoring Certifications last longer than this, so there is no real time savings by filling the spill buckets before the inspector arrives.

**Recommendation:** The SWRCB recommends that the CUPA's procedures on the Expectations page for spill buckets be modified to have the spill buckets filled after the inspector observes the spill bucket condition and check the drain valve for functionality.

- 10. Observation:** The UST Inspection Report left with the UST owner/operator after an UST inspection has language that states "The Certification of Compliance shall be submitted within the time period noted above." There is no signature block on the Inspection Report for the UST owner/operator certifying that all violations have been corrected.

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**Recommendation:** For consistency, the SWRCB recommends that the UST Inspection Report contain a signature block similar to the Hazardous Waste Generator and Hazardous Materials Handler Inspection Report providing for the UST owner/operator to certify that they have met the compliance requirements of their Notice of Violation.

## **EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION**

1. The San Bernardino County Hazardous Materials Division CUPA maintains a strong enforcement program. The enforcement program is in the Emergency Response and Enforcement unit, which is separate from the Field Services and UST/Local Oversight Program (LOP) units that conduct CUPA inspections. Within its Emergency Response and Enforcement unit, the CUPA has a full-time enforcement liaison, who is central to all enforcement matters within the CUPA, providing technical assistance to CUPA staff, negotiating and preparing all administrative settlement agreements, preparing and/or reviewing and facilitating all administrative enforcement orders (AEO's) and reviewing and facilitating all cases submitted to County Counsel and the Office of the District Attorney (DA). The Enforcement Program also has a Investigator position who prepares and/or conducts initial review of civil and criminal cases, and is also a part-time emergency responder. Beginning fiscal year 08/09, the DA's office has funded a new Statewide Cases inspection position through a memorandum of understanding for three years. This Inspector's primary duties include statewide case facility inspections, review of facility files, research of facility information, research of permits issued to facilities by other agencies, facility ownership research, and compilation of reports at the request of the DA. The Enforcement Liaison and Investigator's responsibilities include providing technical support, assisting with, coordinating and monitoring enforcement actions, conducting investigations, reviewing and facilitating cases associated with state-wide prosecutions, final review and tracking of formal enforcement cases, facilitating settlement negotiations, and tracking restitution and penalties received. With the Enforcement Liaison and the Investigator occupied with the enforcement program and the new Statewide Cases Inspector responding to requests from the DA, the CUPA's inspectors have been able to spend additional time with the inspections.

In addition, the CUPA consults with County Counsel and/or the Deputy District Attorney (DDA) on the development of policies for the enforcement of all CUPA Elements. The CUPA's Enforcement Workgroup, which is composed of the Enforcement Liaison, the Statewide Case Inspector, the Field Services supervisor (or sometimes the UST/aboveground storage tank [AST]/LOP supervisor), and two CUPA inspectors, meet twice a month. The Environmental Crimes Task Force is regularly attended by the CUPA once a month. Also, the Deputy Fire Marshal and the Enforcement Liaison meet with the DA's office once a month to discuss the status of pending formal enforcement cases and also those that were recently referred for prosecution.

The enforcement case files reviewed were commendable in their organization and content. Each file is maintained by the Enforcement Liaison and Investigator and contains a comprehensive "Case Information Summary Report," investigation report (written by the inspectors), various photos and sample reports (if any), cost worksheets (fees, costs, and penalty summary), extensive property background information, inspection report, correspondences, search warrants (if any), business plan, and other miscellaneous information from other agencies on the facility.

In the past, the CUPA utilized the Administrative Settlement Agreement process (a "Local AEO" or more commonly referred to as "S/A" by the CUPA) as a formal enforcement action when possible in lieu of submission to County Counsel or the DA's office for civil or criminal prosecution. During FY 05/06, the CUPA prepared a test case for the AEO process. As such, within the last three fiscal years, the CUPA has initiated a total of 300 AEOs (including Local AEOs) and referred 566 cases for civil or criminal prosecution to the DA or the Small Claims Court. Note that the Local AEO's include administrative settlement agreements related to cost recovery and small claims civil actions for payment

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of fees that apply to multiple Unified Program elements. There are currently at least 31 pending formal enforcement cases and at least 10 cases that have been proposed for formal enforcement action.

Some examples of cases are as follows:

- One facility intentionally disposed of hazardous waste at an unauthorized site;
- Another facility conducted unauthorized treatment of a hazardous waste on site;
- Another facility was engaged in the illegal transportation of hazardous waste to un-permitted storage sites;
- Yet another facility failed to operate to prevent a fire or release; and
- Lastly, another facility had illegally stored hazardous waste on site.

An example of a specific case is as follows:

The San Bernardino County Hazardous Materials Division CUPA investigated and prosecuted a case civilly through the DA's office against Pine Knot Concessions. A Stipulated Judgment for \$18,000 was achieved. The facility failed to obtain a hazardous waste generator permit, failed to obtain a hazardous materials handler permit, failed to properly label its hazardous waste containers, failed to inspect its hazardous waste storage area weekly, failed to complete its Spill Prevention Control and Countermeasure (SPCC) Plan, failed to maintain its hazardous waste manifests for three years, and failed to update its business plan.

2. The CUPA maintains an excellent Web site with a wealth of information for the public and regulated community. The Web site has been a critical tool for the CUPA, which has reduced time and cost of mailing and enabled individual consultation more productive. The Web site also contains updated information on APSA requirements and cyanide treatment. The CUPA has advertised its APSA workshops that will be two 3-hour long sessions in 2009 to educate the public and regulated community about the new APSA requirements. In addition to forms (such as the Unified Program Consolidated Forms), fact sheets/flyers, guidance documents, fee schedules, and specific program element requirements, the CUPA's Web site also contains links to video training tools and other pertinent information. A few of the fact sheets/flyers were also available in Spanish.

The CUPA now more routinely uses periodic email notifications for upcoming deadlines and emergency follow-up.

3. Despite the expansive coverage of the county in terms of geographic area and range, the San Bernardino County Hazardous Materials Division has maintained the administration, implementation, and enforcement of the Unified Program within the largest county in California and the United States. The CUPA has also been able to conduct outreach to the vast regulated community, including the many remote areas of the county, and achieve some inspection goals while maintaining a 70 percent return to compliance rate. Based on the last CUPA evaluation in November 2005, the CUPA had 12 district inspectors. Since then, the CUPA has increased its resources by increasing its single fee and also increasing its number of inspectors. Currently, the CUPA has 17 field services inspectors and six UST inspectors; one additional field inspector will be joining the CUPA on December 22, 2008.

During the last fiscal year, the CUPA has also achieved the following to increase inspection frequency:

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- Two inspectors who were transferred from Field Services to the UST program received their ICC Certification.
- Plan-check submissions increased for UST modifications related to facilities attempting to meet Stage II EVR/ISD Air Quality requirements. When possible, routine inspections were conducted in conjunction with construction inspections.
- CUPA created and distributed to contractors an “Expectations” document to reduce time per UST inspection.
- CUPA created Envision Report to notify facilities of outstanding violations in order to reduce custom letter-writing and to increase compliance with minimum additional inspector time.
- San Bernardino County CUPA inspectors meet with their local fire agencies as needed to discuss individual projects, new facilities, code enforcement issues, data needs, and other cooperative projects.
- Both Field Services and UST programs increased “direct to field” scheduling and use of Hesperia office to reduce drive time and fuel costs. Yucca Valley is a new field office that has been created to make inspection time in these desert areas more efficient.
- Field Services inspectors were redistricted to reduce drive time and increase direct to field.
- Fees for overtime inspections were adjusted to compensate for premium cost.

The Field Services and UST units develop a list of goals for each fiscal year, including maintaining an approximate average of a 70 percent compliance rate, which has been achieved by the Field Services unit, within the last three fiscal years. The CUPA has developed the following list of action plan items to increase their inspections for FY 08/09:

- Increase the candidate pool for REHS positions by continuing to attend job fairs, give career talks at local colleges, and offer ride-along opportunities to inspector candidates.
  - Hire four new inspectors.
  - Close or transfer 50 LOP cases to free LOP staff to do a greater percentage of CUPA work.
  - Transfer non-CUPA AST Fire Code plan check & inspection to the Community Safety Division effective October 1, 2008.
  - Establish a facility self-certification for CO<sub>2</sub> handlers.
  - Train three district inspectors for the ICC exam to be used as “hybrids” providing more geographic efficiency.
  - Improve use of Envision to provide lists to focus on priority inspection and compliance issues.
  - Use newly developed streamlined Investigation Report for Administrative Enforcement Orders.
  - Continue to more fully integrate UST and generator/handler inspections.
  - Increase the use of the existing Hesperia and the new Yucca Valley field offices to make inspector time in these desert areas more efficient.
  - Include in Field Services Work Performance Evaluations, progress towards the unit goal of 160 inspections per year per inspector while retaining a 70% return to compliance rate.
4. Inspectors deliver high quality regulatory service due to training and education requirements that exceed CUPA standards. The San Bernardino County CUPA developed a comprehensive training program, which is well-documented in a Training Manual and Training Plan. In addition, all inspectors are registered environmental health specialists (REHS). If an inspector joins the Unified Program and is not already an REHS, the new inspector also undergoes REHS training and sits for the exam when qualified.

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As such, all inspectors are capable of conducting an inspection covering multiple program elements. Their admirable training program is evident through the two inspections described below.

During the business plan oversight inspection conducted on December 1, 2008, State OES observed that the CUPA inspector was extremely thorough and well-trained. The facility did not have a current business plan on site and the inspector advised the owner/operator of the importance of maintaining a business plan. A CUPA business plan packet was given to the facility owner/operator and the inspector assisted in the process of filing out and submitting the forms. The inspector did a complete tour of the facility with the owner/operator and offered best management practice suggestions, as well as counting each and every compressed gas tank being stored. The inspector informed the owner/operator about universal waste, as well as answering any and all questions of the owner/operator. The overall quality of the business plan inspection observed by State OES was conducted in a very professional and thorough manner.

Additionally, on December 1, 2008, Inspector Theresa Congdon conducted the UST site inspection in a thorough and professional manner. She used a detailed and complete Inspection Checklist to document the scope of the inspection and all the required elements in compliance. Her attention to detail and knowledge of code and regulations resulted in an excellent inspection. Theresa did an extensive pre-review of the UST file and created cheat sheets to verify operational compliance and all the required paperwork. During the inspection, she discovered two waste barrels that the owner said were left overnight by an outside party. Theresa explained the owners responsibilities for the waste and left an EPA ID application and a how to handle the waste informational form. She advised the service technician to label the test water they were leaving in a new barrel and provided the label when the technician did not have one. She left a Notice of Violation with a 30-day violation correction period and Certification of Compliance with the facility owner and explained the documentation that should be submitted to provide proof of compliance. She left a pre-addressed manila envelope for the owner to use to submit the required documentation. Theresa also asked for suggestions on how to improve her inspection technique and procedure.

5. The CUPA staff is part of a fire agency with an emergency response team and a household hazardous waste (HHW) collection program for San Bernardino County. The CUPA personnel administer HHW collection events, assist in emergency response, and respond to County emergencies. During 2007, an aggregate total of 3,781,765 pounds of household hazardous waste were collected. The County operates thirteen Permanent Household Hazardous Waste Collection Facilities which are open to the public.

In addition, the San Bernardino County Hazardous Materials Division staff provided public information, hazardous waste assessment, and hazardous waste debris removal services in the October 2007 Grass Valley/Slide fires.

6. The CUPA management and staff continue to be key participants or leaders in the continuous improvement of the Unified Program throughout California. The CUPA staff are actively involved or participate in several statewide groups and committees, striving to ensure coordination, consolidation, and consistency of the Unified Program throughout the state, such as those as follows:

- Federal Data Committee,
- National Hazardous Materials Management Association (NAHMMA) Training Committee,
- Facilitator for Federal Law Enforcement Environmental Crimes Investigations Training,

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- Solid Waste Association of North America (SWANA),
- Unified Program Agency Administering Group (UPAAG),
- CUPA Forum Board,
- Corrective Action Issue Coordinator for the CUPA Forum Board,
- Hazardous Waste Issue Coordinator for the CUPA Forum Board,
- Cal/EPA Data Steering Committee,
- Cal/EPA Enforcement Steering Committee,
- Cal/EPA E-Reporting Workgroup (AB2286),
- CUPA Conference Planning Committee,
- State California Hazardous Materials Investigators Association (CHMIA) Committee,
- Cal/EPA HHW/Conditionally Exempt Small Quantity Generator (CESQG) Training Committee,
- CUPA Regional Forum,
- Regional Training Coordinator,
- Hazardous Waste Technical Advisory Group (TAG),
- AEO TAG,
- UST TAG (southern region),
- LOP Roundtable,
- Emergency Response (ER) TAG,
- DTSC Southern Region Site Remediation Workgroup,
- Cal/EPA Enforcement Workgroup,
- Summary Report Workgroup on Instructions and Forms;
- Region VI Local Emergency Planning Committee (LEPC),
- Federal EPA ER Committee,
- HELPP Advisory Committee with Public Health,
- Co Chair Region VI LEPC Administering Agency Subcommittee,
- San Bernardino County Hazardous Materials Responders Association (SBCHMRA) (local),
- San Bernardino County Debris Assessment Workgroup (local),
- San Bernardino County Solid Waste Division Managers Disaster Planning Team,
- Environmental Crimes Task Force (local), and
- Special Railroad Safety Task Force (local).